

# UNITED STATES COURT OF APPEALS DISTRICT OF COLUMBIA CIRCUIT

333 Constitution Avenue, NW  
Washington, DC 20001-2866  
Phone: 202-216-7000 | Facsimile: 202-219-8530

## CIVIL DOCKETING STATEMENT

All Cases Other than Administrative Agency Cases (To be completed by appellant)

1. CASE NO. 23-5085
2. DATE DOCKETED: 04-25-2023
3. CASE NAME (lead parties only) Moyar v. DOD
4. TYPE OF CASE: ☒ District Ct - ☒ US Civil ☐ Private Civil ☐ Criminal ☐ Bankruptcy  
☐ Bankruptcy - if direct from Bankruptcy Court ☐ Original proceeding
5. IS THIS CASE REQUIRED BY STATUTE TO BE EXPEDITED? ☐ Yes ☒ No  
If YES, cite statute \_\_\_\_\_
6. CASE INFORMATION:
 

a. District Court Docket No. Civil Action <u>22-478</u> Criminal _____ Miscellaneous _____	Bankruptcy Court Docket No. Bankruptcy _____ Adversary _____ Ancillary _____	Tax Court Docket No. Tax _____
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  - b. Review is sought of:  
☒ Final Order ☐ Interlocutory Order appealable as of right ☐ Interlocutory Order certified for appeal
  - c. Name of judge who entered order being appealed:  
Judge Timothy J. Kelly Magistrate Judge \_\_\_\_\_
  - d. Date of order(s) appealed (use date docketed): 03-28-2023
  - e. Date notice of appeal filed: 04-21-2023
  - f. Has any other notice of appeal been filed in this case? ☐ Yes ☒ No If YES, date filed: \_\_\_\_\_
  - g. Are any motions currently pending in trial court? ☐ Yes ☒ No If YES, date filed: \_\_\_\_\_  
If YES, identify motion \_\_\_\_\_
  - h. Has a transcript of proceedings been ordered pursuant to FRAP 10(b)? ☐ Yes ☒ No  
If NO, why not? No proceedings
  - i. Has this case been before the Court under another appeal number? ☐ Yes Appeal # \_\_\_\_\_ ☒ No
  - j. Are any cases involving the same underlying order or, to counsel's knowledge, involving *substantially the same issue*, currently pending before the District Court, this Court, another Circuit Court, or the Supreme Court?  
☐ Yes ☒ No If YES, give each case's court and case name, and docket number: \_\_\_\_\_
  - k. Does this case turn on validity or correct interpretation or application of a statute? ☒ Yes ☐ No  
If YES, give popular name and citation of statute APA, 5 U.S.C. 702 \_\_\_\_\_
7. Have the parties attempted to resolve issues in this case through arbitration, mediation, or another alternative for dispute resolution? ☐ Yes ☒ No If so, provide program name and participation dates \_\_\_\_\_

Signature /s/ Kelly McClanahan Date 05-25-2023  
Name of Party Mark Moyar  
Name of Counsel for Appellant/Petitioner Kelly McClanahan  
Address National Security Counselors, 4702 Levada Terrace, Rockville, MD 20853  
Phone ( 301 ) 728-5908 Fax ( 240 ) 681-2189

### ATTACH A CERTIFICATE OF SERVICE

Note: If counsel for any other party believes that the information submitted is inaccurate or incomplete, counsel may so advise the Clerk within 7 calendar days by letter, with copies to all other parties, specifically referring to the challenged statement. Attach a certificate of service to this form.